DOCUMENT RESUME

ED 340 578 SE 052 260

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| TITLE | National Environmental Education Act. Report To Accompany H.R. 3684. House of Representatives, 101st Congress, 2d Session. |
| INSTITUTION | Congress of the U.S., Washington, D.C. House Committee on Education and Labor. |
| REPORT NO | House-R-101-671 |
| PUB DATE | 4 Aug 90 |
| NOTE | 20p. |
| PUB TYPE | Legal/Legislative/Regulatory Materials (090) |
| EDRS PRICE | MF01/PC01 Plus Postage. |
| DESCRIPTORS | *Curriculum Enrichment; *Educational Legislation; Elementary Secondary Education; *Environmental Education; *Federal Legislation; *Federal Programs; Government Publications; Government School Relationship; Higher Education; Program Descriptions; *Public Agencies |
| IDENTIFIERS | Congress 101st; *Environmental Education Programs; Environmental Protection Agency |

ABSTRACT

The National Environmental Education Act (H.R. 3684) is intended to renew and reestablish the Federal role in environmental education, and is designed to complement the existing environmental education programs presently being implemented by nonprofit organizations, local and state educational agencies, and various federal agencies including, but not limited to, the Fish and Wildlife Service, and the National Forest Service. This legislative act: (1) establishes the Office of Environmental Education within the Environmental Protection Agency; (2) calls for an expanded and varied program of curriculum development and dissemination, and teacher training; (3) provides grants for model projects and for seminars and meetings of practitioners; (4) provides small grants to local school systems and colleges; (5) supports college level environmental interns within Federal agencies; (6) provides national and regional awards to recognize excellence in environmental education; (7) establishes a foundation which will supplement and augment the environmental education and training activities promoted under this Act through matching funds with donations from the private sector; and (9) authorizes diverse activities which will further the purposes of this Act. Included here are: the National Environmental Education Act as reported from the House Committee on Education and Labor; a summary of the contents of this legislation; the legislative history and the need for this Act; an explanation of the amendment to H.R. 3684; the oversight findings; the congressional budget office cost estimates; and a section-by-section analysis of the Act. (JJK)

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ED340578

# NATIONAL ENVIRONMENTAL EDUCATION ACT

## REPORT

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Office of Educational Research and Improvement
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SE 052 260

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101ST CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
101-671

# NATIONAL ENVIRONMENTAL EDUCATION ACT

AUGUST 4 (legislative day, AUGUST 3), 1990.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HAWKINS, from the Committee on Education and Labor, submitted the following

## REPORT

[To accompany H.R. 3684]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (H.R. 3684) to increase public understanding of the natural environment and to advance and develop environmental education and training, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) TITLE.—This Act may be cited as the "National Environmental Education Act".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
Sec. 4. Office of Environmental Education.
Sec. 5. Environmental education and training program.
Sec. 6. Environmental education grants.
Sec. 7. Environmental internships.
Sec. 8. Environmental education awards.
Sec. 9. Environmental Education Advisory Council and Task Force.
Sec. 10. The National Environmental and Training Foundation.
Sec. 11. Authorization.

SEC. 2. FINDINGS.

The Congress finds that—

(1) Threats to human health and environmental quality are increasingly complex, involving a wide range of conventional and toxic contaminants in the air and water and on the land.

(2) There is growing evidence of international environmental problems, such as global warming, ocean pollution, and species diversity, and that these prob-

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lems pose serious threats to human health and the environment on a global scale.

(3) These problems represent as significant a threat to the quality of life and economic vitality of urban areas as they do the natural balance of rural areas.

(4) Effective response to complex environmental problems requires understanding of the natural and built environment and awareness of environmental problems and their origins, including those in urban areas, and the skills to solve these problems.

(5) Development of effective solutions to environmental problems and effective implementation of environmental programs requires a well educated and trained, professional work force.

(6) Current Federal efforts to inform and educate the public concerning the natural and built environment and environmental problems, and its support for local, State, national and international networks to support environmental education and training, are not adequate.

(7) Existing Federal support for development and training of professionals in environmental fields is not sufficient.

(8) The Federal Government, acting through the Environmental Protection Agency, should work with local education institutions, State education agencies, not-for-profit educational and environmental organizations, and private sector interests to support development of curricula, special projects, and other activities, to increase understanding of the natural and built environment and to improve awareness of environmental problems.

(9) The Federal Government, acting through the efforts of its agencies, especially the Environmental Protection Agency, should work with local education institutions, State education institutions, not-for-profit educational organizations, and private sector interests to develop programs to provide increased emphasis and financial resources for the purpose of attracting students into environmental engineering and assisting them with financial and other means in pursuing the programs to complete the advanced technical education required to provide effective problem solving capabilities for complex environmental issues.

SEC. 3. DEFINITIONS.

For the purposes of this Act, the term—

(1) "Administrator" means the Administrator of the Environmental Protection Agency;

(2) "Agency" means the United States Environmental Protection Agency;

(3) "Federal agency" or "agency of the United States" means any department, agency or other instrumentality of the Federal Government, any independent agency or establishment of the Federal Government including any Government corporation;

(4) "Secretary" means the Secretary of the Department of Education;

(5) "local education agency" means any education agency as defined in section 198 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3381);

(6) "not-for-profit" organization means an organization, association, or institution described in section 501(c)(3) of the Internal Revenue Code of 1986, which is exempt from taxation pursuant to the provisions of section 501(a) of such Code;

(7) "environmental engineering" means the discipline within engineering and science concerned with the development and application of scientific and technical solutions to protecting the aquatic and atmospheric environment, including, but not limited to, all phases of water resources planning, water supply, water treatment, air pollution characterization and control, environmental transport of contaminants in surface and groundwater and atmosphere, and methods for assessment of pollution;

(8) "noncommercial education broadcasting entities" means any noncommercial educational broadcasting station (and/or its legal nonprofit affiliates) as defined and licensed by the Federal Communications Commission;

(9) "tribal education agency" means a school or community college which is controlled by an Indian tribe, band, or nation, including any Alaska native village, which is recognized as eligible for special programs and services provided by the United States to Indians because of their status as Indians and which is not administered by the Bureau of Indian Affairs;

(10) "Foundation" means the National Environmental Education and Training Foundation; and

(11) "Board of Directors" means the Board of Directors of the National Environmental Education and Training Foundation.

SEC. 4. OFFICE OF ENVIRONMENTAL EDUCATION.

(a) The Administrator shall establish an Office of Environmental Education within the Environmental Protection Agency.

(b) The Office of Environmental Education shall—

(1) develop and support programs and related efforts to improve understanding of the natural and built environment, and the relationships between humans and their environment, including the global aspects of environmental problems;

(2) support development and the widest possible dissemination of model curricula, educational materials, and training programs for elementary and secondary students and other interested groups, including senior Americans;

(3) develop and disseminate, in cooperation with educational and environmental and other not-for-profit organizations, environmental education publications and audio/visual materials;

(4) develop and support environmental education networks, seminars, teleconferences, training programs, and workshops for environmental professionals, as provided for in section 5 of this Act;

(5) manage Federal grant assistance provided to local education agencies, institutions of higher education, and other not-for-profit organizations under section 6 of this Act;

(6) administer the environmental internship program provided for in section 7 of this Act;

(7) administer the environmental awards program provided for in section 8 of this Act;

(8) provide staff support to the Environmental Education Task Force provided for in section 9 of this Act;

(9) assess the demand for professional skills and training needed to respond to current and anticipated environmental problems and cooperate with appropriate institutions, organizations, and agencies to develop training programs, curricula, and continuing education programs for teachers, school administrators, and related professionals;

(10) assure the coordination of Federal statutes and programs administered by the Agency relating to environmental education and work to reduce duplication or inconsistencies within these programs;

(11) work with the Department of Education, the Federal Interagency Committee on Education, and with other Federal agencies to assure the effective coordination of programs related to environmental education;

(12) provide technical assistance to local education agencies, State education and natural resource agencies, and others; and

(13) otherwise provide for the implementation of this Act.

(c) The Office of Environmental Education shall—

(1) be directed by a Director who shall be a member of the Senior Executive Service;

(2) include a headquarters staff of not less than ten full-time equivalent employees; and

(3) be supported by not less than one full-time equivalent employee in each Agency regional office.

SEC. 5. ENVIRONMENTAL EDUCATION AND TRAINING PROGRAM.

(a) There is hereby established an Environmental Education and Training Program. The purpose of the program shall be to train educational professionals in the development and delivery of environmental education and training programs and studies.

(b) The functions and activities of the program shall include, at a minimum—

(1) classroom training in environmental education and studies including environmental sciences and theory, educational methods and practices, and topical environmental issues and problems;

(2) demonstration of the design and conduct of environmental field studies and assessments;

(3) training in development of environmental programs and curriculum;

(4) sponsorship and management of international exchanges of teachers and other educational professionals involved in environmental programs and issues;

(5) maintenance of a library of environmental education materials, information, literature, and technologies, with electronic as well as hard copy accessibility;

(6) evaluation and dissemination of environmental education materials, training methods, and related programs;

(7) sponsorship of conferences, seminars, and related forums for the advancement and development of environmental education and training curricula and materials, including international conferences, seminars, and forums;

(8) supporting effective partnerships and networks and the use of distant learning technologies of public, private, not-for-profit and governmental organizations involved in environmental education and training; and

(9) such other activities as the Administrator determines to be consistent with the objectives of this Act.

Special emphasis should be placed on developing environmental education programs, workshops, and training tools which are portable and can be broadly disseminated including development of computer networks.

(c)(1) The Administrator shall make a grant on an annual basis to an institution or institutions of higher education or other research institution(s) which is/are a not-for-profit institution (or consortia of such institutions) to establish and operate the environmental education and training program required by this section.

(2) Any institution of higher education or other research institution (or consortia of such institutions) which is a not-for-profit organization and is interested in receiving a grant under this section may submit to the Administrator an application in such form and containing such information as the Administrator may require.

(3) The Administrator shall award grants under this section on the basis of—

(A) the capability to develop environmental education and training programs;

(B) the capability to deliver training to a range of participants and in a range of settings;

(C) the expertise of the staff in a range of appropriate disciplines;

(D) the relative economic effectiveness of the program in terms of the ratio of overhead costs to direct services;

(E) the results of any evaluation under paragraph (5) of this subsection; and

(F) the capability to make effective use of existing national environmental education resources, programs, and networks, including public telecommunications networks; and

(G) such other factors as the Administrator deems appropriate.

(4) No funds made available to carry out this section shall be used for the acquisition of real property (including buildings) or the construction or substantial modification of any building.

(5) The Administrator shall establish procedures for a careful and detailed review and evaluation of the education and training program or programs to determine whether the quality of the program being operated by the grantee or grantees warrants continued support under this section.

(d)(1) Individuals eligible for participation in the program are teachers, faculty, administrators and related support staff associated with local education agencies, colleges, and universities, employees of State education, environmental protection, and natural resource departments, and employees of not-for-profit organizations involved in environmental education activities and issues.

(2) Environmental education professionals shall be selected for participation in the program based on applications which shall be in such form as the Administrator determines to be appropriate.

(3) In selecting individuals to participate in the program, the Administration shall provide for a wide geographic representation and a mix of individuals, including minorities, working at primary, secondary, postsecondary levels, and with appropriate other agencies and departments.

(4) Individuals selected for participation in the program may be provided with a stipend to cover travel and accommodations in such amounts as the Administrator determines to be appropriate.

SEC. 6. ENVIRONMENTAL EDUCATION GRANTS.

(a) The Administrator may enter into a cooperative agreement or contract, or provide financial assistance in the form of grants to support projects to design, demonstrate, and disseminate practices, methods, or techniques realated to environmental education and training.

(b) Activities eligible for grant support pursuant to this section shall include, but not be limited to—

(1) design, demonstration, and dissemination of environmental curricula, including development of educational tools and materials;

(2) design and demonstration of field methods, practices, and techniques, including assessment of environmental and ecological conditions and analysis of environmental pollution problems;

(3) conduct of special projects to understand and assess a specific environmental issue or a specific environmental problem;

(4) support of training or related education for personnel, including teachers, faculty, or administrative staff.

(c) In making grants pursuant to this section, the Administrator shall give priority to those proposed projects which will develop—

(1) a new or significantly improved environmental education practice, method, or technique;

(2) an environmental education practice, method, or technique which may have wide application;

(3) an environmental education practice, method, or technique which addresses a skill or scientific field identified as a priority in the report developed pursuant to section 9(e) of this Act;

(4) an environmental education practice, method, or technique which addresses an environmental issue which, in the judgment of the Administrator, is of a high priority; and

(5) an evaluation of the content and effectiveness of environmental education and training programs and materials.

(d) The program established by this subsection shall include solicitations for projects, selection of suitable projects from among those proposed, supervision of such projects, evaluation of the results of projects, and dissemination of information on the effectiveness and feasibility of the practices, methods, techniques and processes. The Administrator shall publish regulations to assure satisfactory implementation of each element of the program authorized by this subsection.

(e) Within one hundred and eighty days after the date of enactment of this Act, and no less often than every twelve months thereafter, the Administrator shall publish a solicitation for environmental education grants. The solicitation notice shall prescribe the information to be included in the proposal and other information sufficient to permit the Administrator to assess the project.

(f) Any local education agency, college or university, State education agency or environmental agency, or not-for-profit organization noncommercial educational broadcasting entity may submit an application to the Administrator in response to the solicitations required by subsection (e) of this section.

(g) Each project under this section shall be performed by the applicant, or by a person satisfactory to the applicant.

(h) Federal funds for any demonstration project under this section shall not exceed 75 per centum of the total cost of such project. For the purposes of this section, the non-Federal share of project costs may be provided by inkind contributions and other noncash support. In cases where the Administrator determines that a proposed project merits support and cannot be undertaken without a higher rate of Federal support, the Administrator may approve grants under this section with a matching requirement other than that specified in this subsection, including full Federal funding.

(i) Grants under this section shall not exceed $250,000. In addition, 25 per centum of all funds obligated under this section in a fiscal year shall be for grants of not more than $5,000.

SEC. 7. ENVIRONMENTAL INTERNSHIPS AND FELLOWSHIPS.

(a) The Administrator shall, in consultation with the Office of Personnel Management and other appropriate Federal agencies, provide for internships by postsecondary level students with agencies of the Federal Government.

(b) The purpose of internships pursuant to this section shall be to provide college level students with an opportunity to work with professional staff of Federal agencies involved in environmental issues and thereby gain an understanding and appreciation of the skills and abilities appropriate to such professions.

(c) The Administrator shall, to the extent practicable, support not less than one hundred and fifty internships each year.

(d) The internship program shall be managed by the Office of Environmental Education. Interns may serve in appropriate agencies of the Federal Government including, but not limited to, the Environmental Protection Agency, the Department of Energy, the Department of Defense, the Fish and Wildlife Service, and the National Oceanic and Atmospheric Adminsitration, Council on Environmental Quality, Soil Conservation Service, United States Forest Service, National Park Service, and the Bureau of Land Management.

(e) Interns shall be hired on a temporary, full-time basis for not to exceed six months and shall be compensated appropriately. Federal agencies hiring interns shall provide the funds necessary to support salaries and related costs.

(f)(1) Individuals eligible for participation in the internship program are students enrolled at accredited colleges or universities who have successfully completed not less than four courses or the equivalent in environmental sciences or studies, as determined by the Administrator.

(2) Individuals eligible for participation in the fellowship program are in-service teachers who are currently employed by a local education agency and have not less than two years experience in teaching environmental education, environmental sciences, or related courses.

(g) Students shall be selected for internships based on applications which shall be in such form as the Administrator considers appropriate.

(h) In selecting individuals for internships, the Administrator shall provide for wide geographic cultural and minority representation and representation of a range of professions related to the environment.

SEC. 8. ENVIRONMENTAL EDUCATION AWARDS.

(a) The Administrator shall provide for a series of national awards recognizing outstanding contributions to environmental education.

(b) National environmental awards shall include—

(1) the "Theodore Roosevelt Award" to be given in recognition of an outstanding career in environmental education, teaching, or administration;

(2) the "Henry David Thoreau Award" to be given in recognition of an outstanding contribution to literature on the natural environment and environmental pollution problems;

(3) the "Rachael Carson Award" to be given in recognition of an outstanding contribution in print, film media, or broadcast to public education and information on environmental issues or problems; and

(4) the Administrator may also provide for the "President's Environmental Youth Awards" to be given to young people in grades Kindergarten through twelfth for an outstanding project to promote local environmental awareness.

(c) Recipients of education awards provided for in subsection (b) shall be nominated by the Environmental Education Advisory Council provided for in section 9 of this Act.

(d) The Regional Administrator of each of the ten regional offices of the Environmental Protection Agency shall present an "Outstanding Environmental Educator Award" on an annual basis to a teacher or faculty member from a local education agency, college or university, or not-for-profit organization in that region in recognition of a specific, outstanding contribution to environmental education during the past year.

SEC. 9. ENVIRONMENTAL EDUCATION ADVISORY COUNCIL AND TASK FORCE.

(a) There is hereby established a National Environmental Education Advisory Council and a Federal Task Force on Environmental Education.

(b) The Council shall advise, consult with, and make recommendations to, the Administrator on matters relating to activities, functions, and policies of the Agency under this Act. The Administrator shall provide staff support to the Council.

(c) The Council shall consist of sixteen members appointed by the Administrator after consultation with the Secretary. Three members shall be appointed to represent primary and secondary education (one of whom shall be a classroom teacher); three members shall be appointed to represent colleges and universities; three members shall be appointed to represent not-for-profit organizations involved in environmental education, three members shall be appointed to represent State departments of education and natural resources; three representatives shall be appointed to represent business and industry, and one representative shall be appointed to represent senior Americans. A representative of the Secretary, Department of Education, shall serve as an ex-officio member of the Council.

(d) The Administrator shall provide that members of the Council represent the various geographic regions of the country, has minority representation, and that the professional backgrounds of the members include scientific, policy, and other appropriate disciplines.

(e) Each member of the Council shall hold office for a term of three years, except that—

(1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

(2) the terms of the members first taking office shall expire as follows: five shall expire three years after the date of enactment of this title, five shall expire two years after such date, and five shall expire one year after such date, as designated by the Administrator at the time of appointment.

(f) The Council shall, after providing for public review and comment, submit to the Congress, within twenty-four months of enactment and biennially thereafter, a report which shall—

(1) describe and assess the extent and quality of environmental education in the Nation's schools, colleges, and universities;

(2) provide a general description of the activities conducted pursuant to this and related authorities over the previous two-year period;

(3) summarize major obstacles to improving environmental education and make recommendations for addressing such obstacles;

(4) identify personnel skills, education, and training needed to respond to current and anticipated environmental problems and make recommendations for actions to assure sufficient educational and training opportunities in these professions; and

(5) describe and assess the extent and quality of environmental education available to senior Americans, and make recommendations thereon; describe the various Federal agency programs to further senior environmental education; and evaluate and make recommendations as to how such educational apparatuses could best be coordinated with non-profit senior organizations across the Nation, and environmental education institutions and organizations now in existence.

(g) Members of the Council appointed under this section shall, while attending meetings or conferences of the Council or otherwise engaged in business of the Council, receive compensation and allowances at a rate to be fixed by the Administrator, but not exceeding the daily equivalent of the annual rate of basic pay in effect for grade GS-18 of the General Schedule for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Council. While away from their homes or regular places of business in the performance of services for the Council, members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

(h) Section 14(a) of the Federal Advisory Committee Act relating to termination, shall not apply to the Council.

(i)(1) The Federal Task Force on Environmental Education shall advise, consult with and make recommendations to the Administration on matters relating to implementation of this Act and assure the coordination of such implementation activities with related activities of other Federal agencies.

(2) Membership of the Task Force shall include representatives of the—

(A) Department of Education,

(B) Fish and Wildlife Service,

(C) National Park Service,

(D) Forest Service,

(E) Department of Agriculture,

(F) Council on Environmental Quality;

(G) National Science Foundation;

(H) Department of Energy;

(H) Department of Defense;

The Administrator of the Environmental Protection Agency shall chair the Task Force. The Federal Task Force on Environmental Education shall review and comment on a draft of the report to Congress.

**SEC. 10. THE NATIONAL ENVIRONMENTAL EDUCATION FOUNDATION.**

(a) ESTABLISHMENT AND PURPOSES.—

(1) ESTABLISHMENT.—(A) there is hereby established the National Environmental Education and Training Foundation (hereinafter in this chapter referred to as the "Foundation"). The Foundation is established in order to extend the contribution of environmental education and training to meeting critical environmental protection and sustainable development needs, both in this country and internationally; to facilitate the cooperation, coordination and contribution of public and private resources to create an environmentally conscious public and responsible workforce, and an environmentally advanced educational system; and to foster an open and effective partnership among Federal, State, and local government, business, industry, academic institutions, grassroots environmental advocacy groups, international organizations, and individuals dedicated to fostering a new global environmental ethic.

((B) The Foundation is a charitable and nonprofit corporation whose income is exempt from tax, and donations to which are tax deductible to the same extent

as those organizations listed pursuant to section 501(c) of the Internal Revenue Code of 1986. The Foundation is not an agency or establishment of the United States.

(2) PURPOSES.—The purposes of the Foundation are—

(A) to encourage, accept, leverage, and administer private gifts for the benefit of, or in connection with, the environmental education and training activities and services of the United States Environmental Protection Agency, and

(B) to undertake and conduct such other activities as will further the development of an environmentally conscious and responsible public, a well-trained, technically proficient and environmentally literate workforce, and an environmentally advanced educational system, and

(C) to participate with, and otherwise assist, foreign governments, entities, and individuals in undertaking and conducting activities that will further environmental education and training worldwide.

(3) PROGRAMS.—The Foundation will develop, support and/or operate a system of programs and projects to educate and train educational and environmental management professionals, and to assist them in the development and delivery of environmental education and training program and studies. The program will be implemented through a national and international network of environmental education and training centers located within institutions of higher learning, graduate professional schools, not-for-profit environmental, education and/or training organizations, business and/or industry facilities, museums, libraries, and other such institutions which express an interest in and a capability to participate in the programs.

(b) BOARD OF DIRECTORS.—

(1) ESTABLISHMENT AND MEMBERSHIP.—(A) The Foundation shall have a governing Board of Directors (hereinafter referred to in this chapter as the "Board"), which shall consist of 19 Directors, each of whom shall be knowledgeable or experienced in environment, education, and/or training. The membership of the Board, to the extent practicable, shall represent diverse points of view relating to environmental education and training. The Administrator of the Environmental Protection Agency shall appoint a representative to be a voting member of the Board. Ex-officio membership shall also be offered to other Federal agencies or departments with an interest and/or experience in environmental education and training. The Board shall also ensure that the activities of the Foundation are broadly consistent with the environmental education goals and policies of the Environmental Protection Agency and with the intents and purposes of this Act. Appointment to the Board shall not constitute employment by, or the holding of an office of, the United States for the purposes of any Federal law.

(B) There shall also be established an executive committee of the Foundation, elected by the Board, which committee shall meet at least twice yearly to conduct the business of the Foundation.

(2) APPOINTMENT AND TERMS.—Within 90 days of the passage of this Act, the Administrator of the Environmental Protection Agency (hereinafter referred to in this chapter as the "Administrator") shall appoint the Directors of the Board. The Directors shall be appointed for terms of six years; except that the Administrator, in making the initial appointments to the Board, shall appoint six Directors to a term of two years, six Directors to a term of four years, and seven Directors to a term of six years. A vacancy on the Board shall be filled within 60 days of said vacancy in the manner in which the original appointment was made. No individual may serve more than two consecutive terms as a Director.

(3) CHAIRMAN.—The Chairman shall be elected by the Board from its members for a two-year term.

(4) QUORUM.—A majority of the current membership of the Board shall constitute a quorum for the transaction of business.

(5) MEETINGS.—The Board shall meet at the call of the Chairman at least twice a year. If a Director misses three consecutive regularly scheduled meetings, that individual may be removed from the Board and that vacancy filled in accordance with subsection (b) of this section.

(6) REIMBURSEMENT OF EXPENSES.—Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Foundation.

(7) GENERAL POWERS.—(A) The Board may complete the organization of the Foundation by:

(i) appoint officers and employees;

(ii) adopting a constitution and bylaws consistent with the purposes of the Foundation and the provisions of this chapter; and

(iii) undertaking of such other acts as may be necessary to carry out the provisions of this chapter.

(B) The following limitations apply with respect to the appointment of officers and employees of the Foundation:

(i) Officers and employees may not be appointed until the Foundation has sufficient funds to pay them for their service. Officers and employees of the Foundation shall be appointed without regard to the provisions of title 5, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 of subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no individual so appointed may receive pay in excess of the annual rate of basic pay in effect for grade GS–18 of the General Schedule.

(ii) The first officer or employee appointed by the Board shall be the Executive Director of the Foundation who (I) shall serve, at the direction of the Board, as the Secretary of the Board and the Foundation's chief executive officer, and (II) shall be knowledgeable and experienced in matters relating to environmental education and training.

(c) RIGHTS AND OBLIGATIONS OF THE FOUNDATION.—

(1) IN GENERAL.—The Foundation:

(A) shall have perpetual succession;

(B) may conduct business throughout the several States, territories, and possessions of the United States and abroad;

(C) shall have its principal offices in the District of Columbia or in the greater metropolitan area; and

(D) shall at all times maintain a designated agent authorized to accept service of process for the Foundation.

The service of notice to, or service of process upon, the agent required under paragraph (4), or mailed to the business address of such agent, shall be deemed as service upon or notice to the Foundation.

(2) SEAL.—The Foundation shall have an official seal selected by the Board which shall be judicially noticed.

(3) POWERS.—To carry out its purposes under section 2 of this title, the Foundation shall have, in addition to the powers otherwise given it under this chapter, the usual powers of a corporation acting as a trustee, including the power:

(A) to accept, receive, solicit, hold, administer and use any gift, devise, or bequest, either absolutely or in trust, of real or personal property or any income therefrom or other interest therein;

(B) to acquire by purchase or exchange any real or personal property or interest therein;

(C) unless otherwise required by the instrument of transfer, to sell, donate, lease, invest, reinvest, retain or otherwise dispose of any property or income therefrom;

(D) to sue or be sued, and complain and defend itself in any court of competent jurisdiction, except that the Directors of the Board shall not be personally liable, except for gross negligence;

(E) to enter into contracts or other arrangements with public agencies and private organizations and persons and to make such payments as may be necessary to carry out its function; and

(F) to do any and all acts necessary and proper to carry out the purposes of the Foundation.

For the purposes of the chapter, a gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit or the Foundation.

(d) ADMINISTRATIVE SERVICES AND SUPPORT.—

(1) PROVISIONS OF SERVICES.—The Administrator may provide personnel, facilities, and other administrative services to the Foundation, including reimbursement of expenses under section 3 of this title, not to exceed then current Federal Government per diem rates, for a period of up to five years from the date of enactment of this legislation, and may accept reimbursement therefor, to be deposited in the Treasury to the credit of the appropriations then current and chargeable for the cost of providing such service. Notwithstanding any other

provision of this section, the Administrator of the Environmental Protection Agency is authorized to continue to provide facilities, and necessary support services for such facilities, to the National Environmental Education and Training Foundation beyond the four-year period referenced hereinabove, on a space available, reimbursable cost basis.

(2) REPORT.—The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to Congress a report of its proceedings and activities during such year, including a full and complete statement of its receipts, expenditures, and investments.

(e) VOLUNTEER STATUS.—The Adminsistrator may accept, without regard to the civil service classification laws, rules, or regulations, the services of the Foundation, the Board, and the officers and employees of the Board, without compensation from the Environmental Protection Agency, as volunteers in the performance of the functions authorized herein, in the manner provided for under this title.

(f) AUDITS, REPORT REQUIREMENTS, AND PETITION OF THE ATTORNEY GENERAL FOR EQUITABLE RELIEF.—(1) AUDITS.—For purposes of the Act entitled "An Act for audit of accounts of private corporations established under Federal law", approved August 30, 1964 (Public Law 88-504; 36 U.S.C. 1101-1103), the Foundation shall be treated as a private corporation established under Federal law.

(2) REPORT.—The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to Congress a report of its proceedings and activities during such year, including a full and complete statement of its receipts, expenditures, and investments.

(g) UNITED STATES RELEASE FROM LIABILITY.—The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation nor shall the full faith and credit of the United States extend to any obligation of the Foundation.

(h) AMENDMENT AND REPEAL.—The Congress expressly reserves the right to repeal or amend this chapter at any time.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

(a) There are hereby authorized to be appropriated to the Environmental Protection Agency for the purposes of carrying out this Act, $10,000,000 for each of fiscal years 1992 and 1993, and $12,000,000 for each of fiscal years 1994 and 1995.

(b) Of such sums appropriated in a fiscal year, not more than 30 percent shall be available for the activities of the Office of Environmental Education, not more than 30 percent shall be available for the operation of the environmental education and training program, and not more than 40 percent shall be available for environmental education grants.

(c) There are hereby, also authroized to be appropriated to the Environmental Protection Agency for each of fiscal years 1992 through 1995, inclusive, to remain available until expended, not to exceed $1,500,000 to be made available to the Foundation—

(1) to match partially or wholly the amount of value of contributions (whether in currency, services, or property) made to the Foundation by private persons and State and local government agencies;

(2) to provide administrative services under section 10 of this title; and

(3) provided that the Administrator determines that the funds appropriated will be used to carry out the statutory purposes of the Foundation in a manner consistent with the goals and policies of the Environmental Education Act.

## SUMMARY OF THE LEGISLATION

The National Environmental Education Act (H.R. 3684) is intended to renew and reestablish the Federal role in environmental education. It is designed to complement the existing environmental education programs now being implemented by nonprofit organizations, local and State educational agencies, and various Federal agencies (e.g. Fish and Wildlife Service, National Forest Service).

The legislation establishes an Office of Environmental Education within the Environmental Protection Agency, calls for an expanded and varied program of curriculum development and dissemination, and teacher training, provides grants for model projects and for seminars and meetings of practitioners, provides small grants to local school systems and colleges, supports college level environ-

mental interns in Federal agencies, and provides national and regional awards to recognize excellence in environmental education, and authorizes other activities to further the purpose of the Act.

The legislation also establishes a foundation which, through attracting funds from the private sector by offering matching Federal monies, will supplement and augment the environmental education and training activities under this Act.

## LEGISLATIVE HISTORY

The National Environmental Education Act, H.R. 3684, was introduced by Mr. George Miller of California and 39 original cosponsors on November 17, 1989. The bill was referred to the Committee on Education and Labor and to the Subcommittee on Select Education. On April 19, 1990, the Administrator of the Environmental Protection Agency, Mr. William Reilly, Senator Chafee, and a number of other witnesses gave testimony in Washington, D.C. on the bill.

There were three panels at the April 19 hearing. Those testifying were: Mr. Reilly, Administrator, Environmental Protection Agency; Senator John Chafee, U.S. Senator from the State of Rhode Island; Mr. John Denver, President of Windstar Foundation; Dr. Gary San Julian, Vice President of Research in Education, National Wildlife Federation; Professor Terry Wilson, Director, Mathematics, Science and Environmental Education, Western Kentucky University; Mr. Darryl Roberts, adventurer; Mr. Steve Kussman, Chairman, Alliance for Environmental Education; and Dr. Kathleen Blanchard, Quebec-Labrador Foundation.

On July 26, 1990, the Committee on Education and Labor considered the bill, H.R. 3684. After adopting an amendment in the nature of a substitute offered by Mr. Jontz, on behalf of Mr. Owens, the Committee ordered the bill reported by unanimous voice vote.

## HISTORY AND NEED FOR THE LEGISLATION

There is increasing concern for the need to preserve the ecological foundations of our planet. As environmental issues grow increasingly complex and interrelated, the need to more fully educate the public becomes more critical. Whether we talk about the consequences of global warming, the dangers of chlorofluorocarbons (CFCs) in the atmosphere, or the reasons to re-cycle waste products, public awareness of the underlying issues becomes key to the success of public policy in this area. The costs of various kinds of "environmental disasters", such as the Exxon Valdez and toxic waste dumps such as Love Canal, has become unacceptably high, and can, in part, be traced back to a lack of environmental education at very high levels. The modest revival of the Federal effort in this area is an investment in prevention that will be vastly less costly than the consequences of ignorance.

The twentieth anniversary of Earth Day this past April highlighted the renewed interest of the citizens and the government of this country in ensuring that our future generations will be able to benefit from our abundant natural resources and will be able to

live in safe and clean neighborhoods. A program of environmental education will be necessary to sustain this commitment.

In the past there were unsuccessful efforts to establish a Federal role in this area. In 1970 legislation was enacted to establish an Office of Environmental Education within the Department of Health, Education, and Welfare (HEW) (with amendments in 1974 and 1978). There was tension between the Executive and Legislative branches as to the precise nature of the program that should be adopted, the differences being reflected in declining appropriations. Today, the U.S. Office of Environmental Education does not exist. While other environmental educational activities have been facilitated through such agencies as the U.S. Fish and Wildlife Service, the U.S. Forest Service, and the National Park Service, there is a fragmentation of effort in the environmental education field which a central office of Environmental Education could help to alleviate. Such an office would not duplicate ongoing activity, but would be a viable force towards improved coordination.

## EXPLANATION OF THE AMENDMENT TO THE NATIONAL ENVIRONMENTAL EDUCATION ACT

H.R. 3684 would require the Administrator of the Environmental Protection Agency to establish an Office of Environmental Education within the Environmental Protection Agency in 1992 and would authorize it from 1992 for four years. Additionally, the bill would establish a National Environmental Education Foundation for four years.

Witnesses at the hearing underscored a number of important points included within the bill. In the formal education sector, witnesses stated that environmental education should be infused across the curriculum; that environmental education and training, networking, and the development of partnerships across both traditional and non-traditional boundaries were the key to empowering the process of environmental learning and environmental protection. The Committee is aware of the important role of seniors in highlighting that environmental education and training is a lifelong process. It continues in the workplace, at home through the media, and in other venues after formal schooling has been completed. Senior citizens should participate in the Environmental Education Advisory Council.

The Committee recognized that EPA already has a national advisory council, the National Advisory Council for Environmental Policy and Technology (NACEPT), that advises the Administrator on environmental education and training policy. The Committee recognizes that the Administrator would not need a second advisory council to meet this need, and recommends that the Administrator make the transition to the Advisory Council contained in the bill in such a fashion as to minimize disruption in the flow of such advice.

The Committee recognizes the important roles the U.S. Department of Education, the Department of Defense, the Department of Agriculture, and the Department of Energy play in the Nation's efforts to solve environmental problems. Coordination with these en-

tities is vital. For this reason, the Committee specifically included these Departments in the Environmental Education Task Force.

The Committee intends that the Office shall develop and support efforts to improve the understanding of the man-made environment. There are a number of environmental programs around the country that address the urban environmental issues, and the Committee anticipates that funding allocations will reflect that a majority of the Nation's population is concentrated in cities and metropolitan urban areas. Environmental pollution in the form of asbestos in school buildings, air and water pollution, aggravated by the presence of industrial waste products, are as real and, perhaps, as little understood to inner-city dwellers as acid rain and endangered species of wildlife are to those who dwell in more rural areas of the country. Additionally, there was testimony offered by the National Wildlife Foundation that we should not overlook the "importance of educating nonformal audiences to include materials for ethnic and culturally diverse peoples and individuals with special education needs."

The Committee recognized that, given the wealth of information on environmental education and training resources, there was a need to exploit existing user-friendly electronic communication technology to develop a network that would help coordinate and use information more effectively and efficiently.

The Committee recognizes the importance of public broadcasting stations in implementing the goals of this legislation, and has made specific references in the bill to their eligibility for the programs being authorized. Because of the community based nature of public broadcasting stations, their ability to offer diverse services such as education and training, their outstanding track record in environmental programming, and their potential for reaching large numbers of people, the Committee encourages the involvement of these stations in all aspects of the Environmental Education Act.

The Committee is concerned about the underrepresentation of minorities in the field of environmental education, and encourages the Administrator to ensure that historically black colleges and universities (HBCUs) and minority institutions are well represented among the recipients for funding. Witnesses discussed the critical role minorities can and will play in solving environmental problems. The Committee is also aware of the critical role native Americans must play in the protection and restoration of the environment. The Committee notes the existence of Executive Order 12320, designed to increase the participation of the 101 HBCUs in federally-sponsored programs, and that more action is needed.

The Committee recognizes that many vital environmental problems are global and require unprecedented levels of cooperation among nations. This cooperation can only be achieved on the basis of shared awareness of environmental problems between citizens of the United States and those of other nations, including a common international base of knowledge regarding the origins of environmental problems and how these problems can be addressed. To this end, the Federal Government, through this and other programs, should work with other governments and not-for-profit international education organizations to develop and support programs to pro-

mote international environmental education to assure the highest level of international cooperation in environmental fields.

For these reasons, the bill provides for a range of world environmental activities for the development of these environmental education resources, including the development of materials and international fellowships and internships. International environmental education activities conducted under this Act should be conducted in consultation with the Department of Education's Center for International Education.

EPA Administrator William Reilly testified that the Administration could not support the Trust Fund provision in the original version of the bill. He recommended that an Environmental Education and Training Foundation, modeled after the Fish and Wildlife Foundation, be created to help fund national and international environmental education and training networks and programs. The substitute amendment to H.R. 3684 establishes such a Foundation. The major purpose of the National Environmental Foundation will be to develop, support and/or operate a system of programs or projects to educate and train educational and environmental management professionals and to assist them in the development and delivery of environmental education programs and studies. The program will be implemented through a national and international network of environmental education and training centers located within institutions of higher learning, graduate professional schools, not-for-profit environmental education or training organizations, or other such institutions.

The Committee recognized that governmental/public sector funding for environmental education and training has been sporadic and insufficient to the task. A prime example of this was the 1970 version of the National Environmental Education Act that received less than $4 million a year, although authorized at $15 million. It was then "zeroed out" entirely. The Committee noted that the private sector has been steadily increasing its funding of local, regional, and national environmental and training projects. It is hoped that the private sector will continue this pattern of growth in contributions, if this giving is in partnership with the Federal Government. The successful example of the National Fish and Wildlife Foundation, created by Congress within this context, was brought to the Committee's attention.

### OVERSIGHT FINDINGS OF THE COMMITTEE

Findings from the hearings of the Subcommittee on Select Education contributed to the Committee consideration of this bill.

### OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS

In compliance with clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, no findings or recommendations by the Committee on Government Operations were submitted to the Committee with reference to the subject matter of H.R. 3684 or with reference to the bill.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

The Congressional Budget Office has estimated the following costs to the Federal Government in implementing this legislation. The Committee concurs in these estimates and adopts them in compliance with clause VII of rule 13. No cost estimates have been received from any other Federal department or agency.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
*Washington, DC, July 31, 1990.*

Hon. AUGUSTUS F. HAWKINS,
*Chairman, Committee on Education and Labor,*
*U.S. House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for H.R. 3684, the National Environmental Education Act.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT D. REISCHAUER,
*Director.*

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 3684.
2. Bill title: National Environmental Education Act.
3. Bill status: As amended and ordered reported by the House Committee on Education and Labor on July 26, 1990.
4. Bill purpose: H.R. 3684 would establish a federal program for environmental education. This program would be guided by a newly established Office of Environmental Education within the Environmental Protection Agency (EPA). Under the bill, this office would develop and support environmental education and training programs, manage grants, oversee internships, and administer education awards. The bill also would create an Environmental Education Advisory Council, a Federal Task Force on Environmental Education, and a National Environmental Training Foundation.
5. Estimated cost to the Federal Government:

[By fiscal year, in millions of dollars]

| | 1991 | 1992 | 1993 | 1994 | 1995 |
|---|---|---|---|---|---|
| Authorizations | | | | | |
| Specified | | 11.5 | 11.5 | 13.5 | 13.5 |
| Estimated | 0.4 | 1.8 | 1.8 | 1.9 | 2.04 |
| Total authorizations | .4 | 13.3 | 13.3 | 15.4 | 15.5 |
| Estimated outlays | .3 | 9.1 | 12.8 | 14.7 | 15.4 |

The costs of this bill fall primarily within budget function 300.

Basis of estimate: For the purposes of this estimate, it is assumed that H.R. 3684 will be enacted late in fiscal year 1990 and that the full amounts authorized will be appropriated for each fiscal year. Outlays have been estimated on the basis of allocations specified in

the bill, historical spending patterns for similar programs, and information obtained from EPA.

The bill would authorize the appropriation of $10 million annually for 1992 and 1993, and $12 million annually for 1994 and 1995. Of these amounts, 30 percent would be available for the Office of Environmental Education, 30 percent for the environmental education and training program, and 40 percent for environmental education grants. H.R. 3684 also would authorize $1.5 million annually over the 1992-1995 period for the National Environmental Training Foundation.

H.R. 3684 would require EPA to establish 150 internships each year for college students. CBO estimates that the internships would result in costs of about $1.5 million a year to the various federal agencies that would hire the interns.

The bill would establish a National Environmental Education Advisory Council and a Federal Task Force on Environmental Education. The advisory council would consist of 16 members, who would receive compensation and allowances for performance of their duties. CBO estimates that the council would result in costs of up to $300,000 each year. The task force would consist of representatives of various federal government agencies and would be charged with preparing a biennial report on environmental education. CBO estimates that the task force would cost about $100,000 in both fiscal years 1991 and 1992, and cost up to $60,000 annually in subsequent years.

6. Estimated cost to State and local governments: None.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Kim Cawley.

10. Estimate approved by: C. G. Nuckols, for James L. Blum, Assistant Director for Budget Analysis.

INFLATIONARY IMPACT

The private sector donations and the alleviation of negative conditions within the environment, which should result directly from the programs authorized in this measure, should lead to a decreased need for Federal spending, at least of the remedial kind. Therefore, this legislation should have an anti-inflationary impact.

SECTION-BY-SECTION ANALYSIS

Section 1—Short title and table of contents.

Section 2—Findings setting out the need for coordinated efforts in the area of education on environmental topics, issues, and concerns, and stating that it is the purpose of this Act to accomplish such coordination between Federal agencies and State and local education agencies, not for profit environmental organizations, noncommerical education broadcasting entities, and private sector interests.

Section 3—Definitions.

Section 4—Directs the Administrator of the Environmental Protection Agency (hereinafter Administrator) to establish an Office of Environmental Education (hereinafter Officer) within the E.P.A. sets out the scope of activities for this Office, which includes ad-

ministration of programs under this Act. Requires that the Office be directed by a Director (who shall be a member of the Senior Executive Service), shall have a headquarters staff of not less than 10 full-time equivalent employees, and shall have not less than one full-time employee in each Agency regional office.

Section 5—Establishes an Environmental Education and Training program to train eductional professionals in the development and delivery of education and training programs and studies. Authorizes a number of activties, including, but not limited to, classroom training and curricula development and dissemination activities (including those to meet the needs of diverse ethnic groups), field studies, international exchanges, maintenance and support of library resources, evaluation and dissemination, and sponsorship of seminars and conferences. Also authorizes the sponsoring of public, private and governmental partnerships and networks. Special emphasis shall be placed on efforts which are protable and can be readily disseminated. Grants can be made to not for profit institutions of higher education and research entities (or consortia of same) and a number of grant requirements are spelled out. Evaluation and review procedures must be established. Participants may be teachers, faculty, administrators, related support staff associated with local and State education agencies, institutions of higher education, environmental and natural resources agencies and certain others. Selection criteria are set forth.

Section 6—Authorizes the Administratory to enter into a cooperative agreement or contract or a grant to design, demonstrate, or disseminate practices, methods and techniques related to environmental education and training. Activities include curricula design, development and dissemination, evaluation and assessment of pollution problems and other field studies, specific educational personnel training, and international cooperation activities. Priority activities are stipulated. The Administrator is to develop regulation to foster competition and to set forth selection, supervision, and evaluation criteria. The first solicitation is to be within 180 days. Any State or local education agency, college or university, environmental agency, non-profit organization, or noncommercial educational broadcasting entity may qualify under this section. Federal protion of activities under this section shall not exceed 75 percent of the cost, subject to in-kind contribution and authority for the Administrator to waive this requirement. Grants under this section may not exceed $250,000 per year, and at least 25 percent of the funds obligated under this section shall be for grants for not more than $5,000.

Section 7—The Administrator shall, in consultation with the Office of Personnel Management and other appropriate agencies, provide internships and fellowships for in-service teachers with Federal agencies. Sets out purpose, limitation to 150 such internships per year, the management of the program, and salary and personal limitations.

Section 8—Authorizes three specific awards, to be presented for outstanding service in a number of specified disciplines or fields.

Section 9—Establishes a Federal Advisory Council and Federal Task Force on Environmental Education. The Council shall have 16 members, specific numbers of whom are to be appointed by the Ad-

ministrator from a number of specified disciplines. Terms, per diem and compensation, and duties are stiputlated. A report on activites under this Act, and other activities needed, is to be submitted to the public and the Congress every two years. The Federal Task Force, made up of representatives of stipulated agencies, shall make recommendations for coordinating Federal activities in this area and report same to Congress.

Section 10—Establishes the National Environmental Education Foundation to be directed by a 19 member Board of Directors, appointed by the Administrator, with ex officio representation offered to other Federal entities. The puposes of the Foundation are to encourage, accept, and administer private donations for environmental education activities consistent with this Act, to undertake activites to raise the public consciousness, and to participate in international efforts. Specific activities, and projects to be funded, will be determined by the Board. Terms, Officers compensation, and other internal matters are stipulated, as are certain rights and obligations of the Foundation and the Board. The Foundation will not be a Federal agency. The administrator is to provide support, and there are provisions limiting Federal liability, allowing acceptance of volunteer service, and setting forth audit reporting requirements.

Section 11—Authorizations.—The authorization for the Office of Environmental Education, education and training activities, model practices, methods and technologies, cooperative agreements, internships and fellowship, and awards is set at $10 million for fiscal years 1992 and 1993, and $12 million for fiscal years 1993 and 1994. The Foundation is authorized at $1.5 million for fiscal years 1992—1995.

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